

**Iowa Department of Natural Resources
Environmental Protection Commission**

ITEM

4

INFORMATION

**TOPIC Chapters 20, 21, 22, 23, 25, 28, and 33 – Air Quality Program Rules -
Updates, Revisions, and Additions**

The attached Notice of Intended Action to amend Chapter 20 "Scope of Title –Definitions-Forms-Rules of Practice," Chapter 21 "Compliance," Chapter 22 "Controlling Pollution," Chapter 23 "Emission Standards for Contaminants," Chapter 25 "Measurement of Emissions," Chapter 28 "Ambient Air Quality Standards," and Chapter 33 "Special Regulations and Construction Permit Requirements for Major Stationary Sources—Prevention of Significant Deterioration (PSD) of Air Quality," of 567 Iowa Administrative Code is being presented to the Commission for information.

The primary purpose of the rule changes is to update state air quality rules for new federal requirements, including adoption of new National Ambient Air Quality Standards (NAAQS) and adoption of two new federal air toxics standards. The rule changes also include amendments to state air construction permitting requirements and stack testing requirements. Additional, minor amendments to other rules and minor changes to federal regulations also are being adopted.

This rulemaking includes adoption of two new National Emission Standards for Hazardous Air Pollutant (NESHAP). This program requires new and existing facilities in a particular industry sector that construct and operate specific equipment to meet uniform standards for air pollutant emissions. The two new NESHAP being adopted affect metal finishing and fabricating facilities and plating and polishing facilities.

Because of the potential impacts to small businesses and previously unregulated facilities, the Department developed implementation strategies in conjunction with the rulemaking. The strategies include cooperative efforts with University of Northern Iowa – Iowa Air Emissions Assistance Program (UNI), Iowa Department of Economic Development (IDED), the Linn and Polk County local air quality programs to provide outreach, education and compliance assistance to stakeholders. The Department's outreach efforts began in 2008 and are continuing during the rulemaking process. It is hoped that these new rules in conjunction with the Department's outreach efforts will result in reductions in air toxic emissions while minimizing the regulatory burden to small businesses and other affected facilities.

The specific items included in the adopted rules are briefly summarized below. More detail is included in the preamble of the attached Notice.

- Items 1 and 12 adopt a revision to the definition of “volatile organic compound” or “VOC.” EPA removed two compounds from the list of compounds considered to be VOC.
- Items 2 and 4 amend the zip code for the Department’s Air Quality Bureau offices. The address will change effective July 1, 2009.
- Item 3 adds a new construction permit exemption for some non-road diesel fuel engines used to conduct periodic testing and maintenance at natural gas pipelines. The Department has conducted an air quality assessment of these projects and determined that an exemption from construction permitting is appropriate.
- Item 5 amends the provisions for the notification letter for facilities qualifying for the permit by rule for paint booths (PBR). The Department is amending the provisions to require compliance with the new area source NESHAP for metal fabricating and finishing facilities (see also Item 9).
- Item 6 amends the provisions for applying for a Title V Operating Permit to update the zip code for the Air Quality Bureau offices which will change on July 1, 2009, and also to remove the requirement that EPA receive a hard copy of the Title V application.
- Item 7 adopts recent EPA amendments to the New Source Performance Standards (NSPS). EPA amended the NSPS for electric utility steam generating units and industrial-commercial-institutional steam generating units. The amendments add compliance alternatives and eliminate the opacity standard for certain facilities. EPA also amended the NSPS General Conditions for alternative work practices for equipment leak detection and repair.
- Item 8 adopts recent EPA amendments to the NESHAP program. This includes amendments to NESHAP for electric arc furnace steelmaking facilities. The amendments clarify the applicability of the opacity limit, change the particulate matter performance test requirements so that they are consistent with the NSPS for the source category, allow Title V test data to be used to demonstrate compliance, and revise the definition of a “scrap provider.”
- Item 9 adopts two new federal NESHAP for area sources. The first NESHAP affects facilities in which the primary activity is metal fabricating and finishing facilities. At this time, the Department estimates that 60 facilities may be subject to this NESHAP. The second NESHAP affects facilities engaged in specific plating and polishing activities. The Department estimates that 100 facilities may be subject to this NESHAP. Some facilities may be subject to both NESHAP. The Department in conjunction with UNI has developed outreach tools for affected businesses and is already working directly with several facilities that will be affected by the NESHAP. Existing plating and polishing facilities will not be required to comply with the NESHAP until July 2010. Existing metal fabricating and finishing facilities will not need to comply with the NESHAP until

July 2011.

- Item 10 amends the Department's current rules regarding stack testing notifications, pre-test meetings, and test protocols. The amendments provide clarity and allow more flexibility.
- Item 11 adopts the new NAAQS for ozone and lead. EPA recently strengthened the NAAQS for ozone and lead to more adequately protect public health and welfare.

The Department plans to bring this Notice to the Commission for decision at the Commission's April meeting.

Jim McGraw
Environmental Program Supervisor
Program Development Section, Air Quality Bureau
Memo date: February 23, 2009

ENVIRONMENTAL PROTECTION COMMISSION [567]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 20, “Scope of Title—Definitions—Forms—Rules of Practice,” Chapter 21, “Compliance,” Chapter 22, “Controlling Pollution,” Chapter 23, “Emission Standards for Contaminants,” Chapter 25, “Measurement of Emissions,” Chapter 28, “Ambient Air Quality Standards,” and Chapter 33, “Special Regulations and Construction Permit Requirements for Major Stationary Sources—Prevention of Significant Deterioration (PSD) of Air Quality,” Iowa Administrative Code.

The primary purpose of the rule changes is to update state air quality rules for new federal requirements, including adoption of new National Ambient Air Quality Standards (NAAQS) and adoption of two new federal air toxics standards. The rule changes also include amendments to state air construction permitting requirements and stack testing requirements. Additional, minor amendments to other rules and minor changes to federal regulations also are being adopted.

Item 1 rule 567—20.2(455B), the definition of “volatile organic compound” or “VOC.” EPA removed two compounds, Propylene Carbonate (CAS# 108-32-7) and Dimethyl Carbonate (CAS# 616-38-6) from the definition of VOC in a final regulation published on January 21, 2009. EPA has determined these two compounds are negligibly reactive, meaning they contribute little or nothing to tropospheric ozone formation.

Facilities should report Propylene Carbonate and Dimethyl Carbonate as VOC for the calendar year 2008 emissions inventory because they were considered VOC for that year. Facilities will not be required to report Propylene Carbonate and Dimethyl Carbonate as VOC in

the emissions inventory for calendar year 2009.

Item 2 amends rule 567—20.3(455B) to update the address for the Department's Air Quality Bureau offices. The address change will take effect on July 1, 2009.

Item 3 amends subrule 22.1(2) to add paragraph "oo" providing for an exemption from construction permitting for certain temporary diesel engines used in periodic testing and maintenance of natural gas pipelines. Several times per year, natural gas pipelines require periodic testing and repair. Because of the lead time for this type of project, the owner or operator of the pipeline often does not have sufficient time to apply for and obtain a construction permit prior to installing the engine and must instead apply to the Department for a variance from the permitting requirements of Chapter 22. The Department has conducted an air quality of assessment of these projects and determined that an exemption from construction permitting is appropriate. The exemption contains conditions to ensure that engine emissions will not exceed the emission limits currently allowed under the small unit exemption specified in paragraph 22.1(2)"w."

Item 4 amends subrule 22.1(3) to update the address for the Department's Air Quality Bureau offices as explained in Item 2.

Item 5 amends paragraph 22.8(1)"e," the provisions for applying for a permit by rule for spray booths, to add the requirement that the owner or operator must be exempt from or in compliance with the NESHAP for metal fabricating and finishing (40 CFR Part 63, Subpart XXXXXX). This amendment is similar to an amendment adopted earlier in 2009 to require those applying for the permit by rule to be in compliance with or exempt from the NESHAP for miscellaneous surface coating. The amendment is being made because the NESHAP for metal fabricating and finishing, similar to the miscellaneous surface coating NESHAP, does not

contain any de minimus usage level for coatings. These provisions will help ensure that owners and operators are aware of and in compliance with the NESHAP requirements. The Department's notification form for the permit by rule has been newly modified to guide the owner or operator through a series of questions that will assist the owner or operator with the NESHAP requirements.

Item 6 amends subrule 22.105(1), the requirements for submitting a Title V Operating permit application. The amendment updates the Department's Air Quality Bureau address as explained in Items 2 and 4. The amendment also removes the requirement for submitting a hard copy of the Title V application to EPA if the application has applied electronically to the Department.

Item 7 amends the introductory paragraph of subrule 23.1(2), the provisions adopting by reference the federal New Source Performance Standards (NSPS) contained in 40 CFR Part 60. EPA made amendments to the federal NSPS as described below.

On January 28, 2009, EPA amended the NSPS for electric utility steam generating units and industrial-commercial-institutional steam generating units. EPA states that these amendments are to add compliance alternatives for owners and operators of affected facilities, eliminate the opacity standard for facilities with a particulate matter limit of 0.030 lb/million Btus or less that voluntarily install and use particulate matter continuous emission monitors to demonstrate compliance with that limit, and to correct technical errors. The promulgation is in response to petitions for reconsideration of the NSPS amendments.

On December 22, 2008, EPA amended the NSPS General Conditions for alternative work practices for equipment leak detection and repair. The alternative work practice is an alternative to the current leak detection and repair work practice, which is not being revised. The final

regulations add a requirement to perform monitoring once per year using the current Method 21 leak detection instrument.

Also on December 22, 2008, EPA took final action on the NSPS for petroleum refineries. On June 24, 2008, EPA promulgated new standards for petroleum refineries. Following that action, EPA received three petitions for reconsideration. In response to the petitions, EPA granted a stay of certain provisions in the new standards. In this final rule, EPA is extending the stay of the requirements under reconsideration until a final decision is reached on these issues.

Item 8 amends subrule 23.1(4), the emission standards for hazardous air pollutants for source categories, also known as National Emission Standards for Hazardous Air Pollutants or NESHAP, to adopt recent amendments that EPA made to 40 CFR Part 63. The specific NESHAP requirements being newly adopted are described in Item 6. EPA also issued final amendments to existing NESHAP as described below.

On December 22, 2008, EPA amended the NESHAP General Conditions for alternative work practices for equipment leak detection and repair. The amendments are the same as those described for the NSPS standards in Item 4.

On December 1, 2008, EPA amended the Area Source NESHAP for Electric Arc Furnace Steelmaking Facilities. The amendments clarify the applicability of the opacity limit, change the particulate matter performance test requirements so that they are consistent with the NSPS for the source category, allow Title V test data to be used to demonstrate compliance, and revise the definition of a “scrap provider.”

Item 9 amends subrule 23.1(4) by adopting new paragraphs “ew” and “ex.” This amendment adopts by reference two new NESHAP for new and existing area sources for the following source categories: (1) Plating and Polishing (Subpart WWWW) and (2) Metal

Fabricating and Finishing (Subpart XXXXXX). Area sources are usually smaller commercial or industrial operations that typically release less HAP. Specifically, area sources have potential emissions less than 10 tpy (tons per year) of any single HAP and less than 25 tpy of any combination of HAP. Facilities that have potential HAP emissions greater than or equal to these levels are classified as major sources for HAP.

Because of the potential impacts to small businesses and previously unregulated facilities, the Department developed implementation strategies in conjunction with the rulemaking. The strategies include cooperative efforts with University of Northern Iowa – Iowa Air Emissions Assistance Program (UNI), Iowa Department of Economic Development (IDED), the Linn and Polk County local air quality programs to provide outreach, education and compliance assistance to stakeholders. The Department's outreach efforts began in 2008 and are continuing during the rulemaking process. It is hoped that these new rules in conjunction with the Department's outreach efforts will result in reductions in air toxic emissions while minimizing the regulatory burden to small businesses and other affected facilities.

The area source NESHAP for plating and polishing (Subpart WWWWWW) requires owners and operators to implement best management practices to reduce or eliminate emissions of certain toxic metals and other air toxics. The Department estimates that approximately 100 minor sources will be subject to the NESHAP. The Department in conjunction with UNI has developed compliance tools for affected businesses and is already working directly with several affected facilities. Owners and operators of existing facilities will have until July 2010 to comply.

The second area source NESHAP for metal fabricating and finishing (Subpart XXXXXX) affects facilities in which the primary activity is metal fabricating and finishing. In

brief, affected facility owners and operators must implement best management practices to reduce or eliminate certain toxic metals and other air toxics for the following activities: 1) Dry abrasive blasting; 2) Machining; 3) Dry Grinding and Dry Polishing with machines; 4) Spray Painting; and 5) Welding. The Department estimates that 60 minor source facilities may be subject to the NESHAP. The Department in conjunction with UNI has created outreach materials for affected businesses, and is already working directly with a number of affected facilities. Owners and operators of existing facilities will have until July 2011 to comply with the NESHAP.

Item 10 amends paragraph 25.1(7)"a" to better reflect the Department's current practices regarding stack testing notifications, pre-test meetings, and test protocols. The amendments provide clarity and allow more flexibility.

Item 11 amends rule 567—28.1(455B) to adopt by reference new National Ambient Air Quality Standards (NAAQS). EPA recently strengthened the NAAQS for ozone and for lead to more adequately protect public health and welfare.

Item 12 amends subrule 33.3(1), the definition for "volatile organic compound" or "VOC" as described in Item 1.

Any person may make written suggestions or comments on the proposed amendments on or before [Date TBD]. Written comments should be directed to Christine Paulson, Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, Urbandale, Iowa 50322, fax (515)242-5094, or by electronic mail to christine.paulson@dnr.iowa.gov.

A public hearing will be held on [Date TBD] in the conference rooms at the Department's Air Quality Bureau office located at 7900 Hickman Road, Urbandale, Iowa. At the

public hearing, comments on the proposed amendments may be submitted orally or in writing. All comments must be received no later than [Date TBD].

Any person who intends to attend the informational meeting or the public hearing and has special requirements, such as those related to hearing or mobility impairments, should contact Christine Paulson at (515)242-5154 to advise of any specific needs.

These amendments are intended to implement Iowa Code section 455B.133.

The following amendments are proposed.

ITEM 1. Amend rule 567—20.2(455B), the definition of “volatile organic compound” or “VOC” as follows:

“Volatile organic compound” or “VOC” means any compound included in the definition of volatile organic compound found at 40 CFR Section 51.100(s) as amended through January 18, 2007, January 21, 2009.

ITEM 2. Amend rule 567—20.3(455B) as follows:

567—20.3(455B) Air quality forms generally. The following forms are used by the public to apply for various departmental approvals and to report on activities related to the air programs of the department. All forms may be obtained from the central office:

~~Administrative Support Station—Environmental Protection Division~~

Iowa Department of Natural Resources – Air Quality Bureau

~~Henry A. Wallace Building~~

~~900 East Grand~~ 7900 Hickman Road, Suite 1

~~Des Moines~~ Windsor Heights, Iowa 50319 ~~50324~~

Properly completed forms should be submitted in accordance with the instructions to the form. Where not specified in the instructions, forms should be submitted to the program operations division.

ITEM 3. Amend subrule 22.1(2) to add **new** paragraph “oo” as follows:

oo. A non-road diesel fueled engine, as defined in 40 CFR 1068.30 as amended through July 13, 2005, with a brake horsepower rating of less than 1,100 at full load measured at the shaft, used to conduct periodic testing and maintenance on natural gas pipelines. For the purposes of this exemption, the manufacturer’s nameplate rating shall be defined as the brake horsepower output at the shaft at full load. To qualify for the exemption, the engine must:

1. Be used for periodic testing and maintenance on natural gas pipelines outside the compressor station which shall not exceed 330 hours in any 12 month consecutive period at a single location; or
2. Be used for periodic testing and maintenance on natural gas pipelines within the compressor station which shall not exceed 330 hours in any 12 month consecutive period.

The owner or operator shall maintain a monthly record of the number of hours the engine operated, and a record of the rolling 12-month total of the number of hours the engine operated for each location outside the compressor station and within the compressor station. These records shall be maintained for two years. Records shall be made available to the department upon request. This exemption shall not apply to the replacement or substitution of engines for backup power generation at a pipeline compressor station.

ITEM 4. Amend subrule **22.1(3)** as follows:

22.1(3) Construction permits. The owner or operator of a new or modified stationary source shall apply for a construction permit unless a conditional permit is required by Iowa Code chapter 455B or subrule 22.1(4) or requested by the applicant in lieu of a construction permit. Two copies of a construction permit application for a new or modified stationary source shall be presented or mailed to Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, ~~Urbandale~~Windsor Heights, Iowa ~~50322~~50324. Alternatively, the owner or operator may apply for a construction permit for a new or modified stationary source through the electronic submittal format specified by the department. The owner or operator of any new or modified industrial anaerobic lagoon or a new or modified anaerobic lagoon for an animal feeding operation other than a small operation as defined in rule 567—65.1(455B) shall apply for a construction permit. Two copies of a construction permit application for an anaerobic lagoon shall be presented or mailed to Department of Natural Resources, Water Quality Bureau, Henry A. Wallace Building, 502 East Ninth Street, Des Moines, Iowa 50319.

ITEM 5. Amend paragraph 22.8(1)“e” as follows:

e. Notification letter.

(1) Facilities which claim to be permitted by provisions of this rule must submit to the department a written notification letter, on forms provided by the department, certifying that the facility meets the following conditions:

1. All paint booths and associated equipment are in compliance with the provisions of subrule 22.8(1);

2. All paint booths and associated equipment are in compliance with all applicable requirements including, but not limited to, the allowable particulate emission rate for painting and surface coating operations of 0.01 gr/scf of exhaust gas as specified in 567—

subrule 23.4(13); and

3. All paint booths and associated equipment are in compliance with or otherwise exempt from the national emissions standards for hazardous air pollutants (NESHAP) for paint stripping and miscellaneous surface coating at area sources (40 CFR Part 63, Subpart HHHHHH) and the NESHAP for metal fabricating and finishing at area sources (40 CFR Part 63, Subpart XXXXXX).

(2) The certification must be signed by one of the following individuals.

1. For corporations, a principal executive officer of at least the level of vice president, or a responsible official as defined at 567 IAC 22.100(455B).

2. For partnerships, a general partner.

3. For sole proprietorships, the proprietor.

4. For municipal, state, county, or other public facilities, the principal executive officer or the ranking elected official.

ITEM 6. Amend subrule 22.105(1) as follows:

22.105(1) Duty to apply. For each source required to obtain a Title V permit, the owner or operator or designated representative, where applicable, shall present or mail a complete and timely permit application in accordance with this rule to the following locations: Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, ~~Urbandale~~ Windsor Heights, Iowa ~~50322~~ 50324 (two copies); and U.S. EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101 (one copy); and, if applicable, the local permitting authority, which is either Linn County Public Health Department, Air Quality Division, 501 13th Street NW, Cedar Rapids, Iowa 52405 (one copy); or Polk County Public Works, Air Quality Division, 5885 NE 14th Street, Des Moines, Iowa 50313 (one copy). Alternatively, an owner or

operator may submit a complete and timely application through the electronic submittal format specified by the department. ~~If an application is submitted electronically, the owner or operator shall provide one hard copy of the application to U.S. EPA Region VII.~~

ITEM 7. Amend subrule **23.1(2)**, introductory paragraph, as follows:

23.1(2) New source performance standards. The federal standards of performance for new stationary sources, as defined in 40 Code of Federal Regulations Part 60 as amended or corrected through ~~June 2, 2008~~, January 28, 2009, are adopted by reference, except § 60.530 through § 60.539b (Part 60, Subpart AAA), and shall apply to the following affected facilities. The corresponding 40 CFR Part 60 subpart designation is in parentheses. Reference test methods (Appendix A), performance specifications (Appendix B), determination of emission rate change (Appendix C), quality assurance procedures (Appendix F) and the general provisions (Subpart A) of 40 CFR Part 60 also apply to the affected facilities.

ITEM 8. Amend subrule 23.1(4), introductory paragraph, as follows:

23.1(4) Emission standards for hazardous air pollutants for source categories. The federal standards for emissions of hazardous air pollutants for source categories, 40 Code of Federal Regulations Part 63 as amended or corrected through ~~July 22, 2008~~, December 22, 2008, are adopted by reference, except those provisions which cannot be delegated to the states. The corresponding 40 CFR Part 63 subpart designation is in parentheses. An earlier date for adoption by reference may be included with the subpart designation in parentheses. 40 CFR Part 63, Subpart B, incorporates the requirements of Clean Air Act Sections 112(g) and 112(j) and does not adopt standards for a specific affected facility. Test methods (Appendix A), sources defined for early reduction provisions (Appendix B), and determination of the fraction biodegraded (F_{bio}) in the biological treatment unit (Appendix C) of Part 63 also apply to the

affected activities or facilities. For the purposes of this subrule, “hazardous air pollutant” has the same meaning found in 567—22.100(455B). For the purposes of this subrule, a “major source” means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit, considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants, unless a lesser quantity is established, or in the case of radionuclides, where different criteria are employed. For the purposes of this subrule, an “area source” means any stationary source of hazardous air pollutants that is not a “major source” as defined in this subrule. Paragraph 23.1(4) “a,” general provisions (Subpart A) of Part 63, shall apply to owners or operators who are subject to subsequent subparts of 40 CFR Part 63 (except when otherwise specified in a particular subpart or in a relevant standard) as adopted by reference below. The provisions of 40 CFR Part 60, Subparts A, B, Da, and HHHH for the Clean Air Mercury Rule (CAMR), are found at subrules 23.1(2) and 23.1(5) and in 567—Chapter 34.

ITEM 9. Adopt the following new paragraphs **23.1(4) “ew”** and **“ex”**:

ew. Emission standards for hazardous air pollutants for area sources: plating and polishing. This standard applies to plating and polishing activities at new and existing facilities that are area sources for hazardous air pollutant emissions. (Part 63, Subpart WWWWWW)

ex. Emission standards for hazardous air pollutants for area sources: metal fabricating and finishing. This standard applies to new and existing facilities in which the primary activity or activities at the facility is metal fabricating and finishing and that are area sources for hazardous air pollutant emissions. (Part 63, Subpart XXXXXX)

ITEM 10. Amend paragraph 25.1(7) “a” as follows:

a. *General.* The owner of new or existing equipment or the owner's authorized agent shall notify the ~~director~~department in writing, not less than 30 days, before a required test or before a performance evaluation of a continuous emission monitor ~~is performed~~ to determine compliance with applicable requirements of 567—Chapter 23 or a permit condition. ~~For the department to consider test results a valid demonstration of compliance with applicable rules or a permit condition, such notice shall be given.~~ Such notice shall include the time, the place, the name of the person who will conduct the tests and other information as required by the department. If the owner or operator does not provide timely notice to the department, the department shall not consider the test results or performance evaluation results to be a valid demonstration of compliance with applicable rules or permit conditions. Upon written request, the department may allow a notification period of less than 30 days. ~~Unless specifically waived by the department~~ At the department's request, a pretest meeting shall be held not later than 15 days prior to conducting the compliance demonstration. ~~The department may accept a testing protocol in lieu of the pretest meeting.~~ A testing protocol shall be submitted to the department no later than 15 days prior to conducting the compliance demonstration. A representative of the department shall be permitted to witness the tests. Results of the tests shall be submitted in writing to the director in the form of a comprehensive report within six weeks of the completion of the testing.

ITEM 11. Amend rule 567—28.1(455B) as follows:

567—28.1(455B) Statewide standards. The state of Iowa ambient air quality standards shall be the National Primary and Secondary Ambient Air Quality Standards as published in 40 Code of Federal Regulations Part 50 (1972) and as amended at 38 Federal Register 22384 (September 14, 1973), 43 Federal Register 46258 (October 5, 1978), 44 Federal Register 8202, 8220 (February

9, 1979), 52 Federal Register 24634-24669 (July 1, 1987), 62 Federal Register 38651-38760, 38855-38896 (July 18, 1997), ~~and~~ 71 Federal Register 61144-61233 (October 17, 2006), 73 Federal Register 16436 – 16514 (March 27, 2008), and 73 Federal Register 66964 – 67062 (November 12, 2008), except that the annual PM₁₀ standard specified in 40 CFR Section 50.6(b) shall continue to be applied for purposes of implementation of new source permitting provisions in 567 IAC Chapters 22 and 33. The department shall implement these rules in a time frame and schedule consistent with implementation schedules in federal laws, regulations and guidance documents.

ITEM 12. Amend subrule 33.3(1), the definition of “volatile organic compound” or “VOC,” as follows:

“*Volatile organic compounds*” or “*VOC*” means any compound included in the definition of “volatile organic compounds” found at 40 CFR 51.100(s) as amended through ~~January 18, 2007~~ January 21, 2009.

Date

Richard A. Leopold, Director